

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD GALE ZLOMKE,)	4:12CV3018
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER ON APPLICATION
ROBERT HOUSTON,)	TO PROCEED IN FORMA
)	PAUPERIS
Respondent.)	

The petitioner, Richard Gale Zlomke (Zlomke), has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) (filing no. [1](#)), an Application to Proceed in Forma Pauperis 28 U.S.C. § 1915 (filing no. [2](#)), and a copy of his institutional trust account statement (filing no. [3](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Zlomke's financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and Zlomke is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that:

The Application to Proceed in Forma Pauperis (filing no. [2](#)) is provisionally granted and Zlomke will not be required to pay the \$5.00 fee at this time.

Dated February 14, 2012.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge